

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PFIZER INC.,  
PHARMACIA & UPJOHN COMPANY, and  
PFIZER HEALTH AB,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

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Case No: 07-CV-11198 (LTS) (KNF)

**NOTICE OF MOTION**

TO:

Dimitrios T. Drivas, Esq.  
Jeffrey J. Oelke, Esq.  
Adam Gahtan, Esq.  
James S. Trainor, Jr., Esq.  
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COUNSEL:

PLEASE TAKE NOTICE that Defendant Teva Pharmaceuticals USA, Inc. ("Teva") will move this Court, before the Honorable Laura T. Swain, U.S.D.J., S.D.N.Y. located at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be determined by the Court for an Order pursuant to L.Civ.R. 6.2 and 28 U.S.C. § 1404(a), transferring this action to the United States District Court for the District of New Jersey.

PLEASE TAKE FURTHER NOTICE that Teva will rely upon the Memorandum submitted with this Notice of Motion, the Affidavit of Don M. Kennedy, and upon all pleadings and proceedings on file herein.

Defendant Teva Pharmaceuticals USA, Inc. hereby certifies that its counsel conferred with counsel for Plaintiffs Pfizer, Inc., Pharmacia & UpJohn Company LLC, and Pfizer Health AB, and used its best efforts to resolve informally the issue raised in the present motion.

Respectfully submitted,

Dated: January 16, 2008

GOODWIN PROCTER LLP,

/s/ David M. Hashmall  
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